UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

May 18, 2015

Ms, Melissa Barlow
Environmental Protection Specialist
Federal Transit Administration
1990 K Street NW, Suite 510
Washington, DC 20006

Re: Draft Environmental Impact Statement, Potomac Yard Metrorail Station, Alexandria Virginia, April 2015, CEQ #20150090

Dear Ms. Barlow:

In accordance with the National Environmental Policy Act (NEPA) of 1969, Section 309 of the Clean Air Act and the Council on Environmental Quality regulations implementing NEPA (40 CFR 1500-1508), the United States Environmental Protection Agency (EPA) has reviewed the Potomac Yard Metrorail Station Draft Environmental Impact Statement (DEIS). The purpose and need for the proposed project is to improve local and regional transit accessibility to and from the Potomac Yard area adjacent to the U. S. Route 1 corridor for current and future residents, employees, and business.

The DEIS evaluates a no build alternative, three Metrorail Station Location alternatives, and a design option for one of the build alternatives (B-CSX Design Option). Permanent impacts to wetlands range from 0 acres to 1.22 acres and temporary impacts range from 0 to 3.61 acres. Other impacts include land acquisition, noise, vibration, floodplain, crossing of Four Mile Run and increased impervious surface. At this time no preferred alternative has been identified.

As a result of our review EPA has identified areas of concern, including deficiencies in assessment of resources and mitigation, environmental justice, children's environmental health, cumulative impacts, climate change and community impacts. Additional information should be provided regarding the assessment of environmental resources, techniques to reduce air emissions and fugitive dust, noise control practices, and vibration control techniques. Efforts should be made to further avoid and minimize impacts to environmental and community resources. Where ever possible, impacts associated with this project should be further avoided and minimized as the project design moves forward.

EPA rated the DEIS an EC-2 (Environmental Concerns/Insufficient Information), which indicates that we have environmental concerns regarding the proposal and that there is insufficient information in the document to fully assess the environmental impacts. The rating

system can be found on the website www.epa.gov/compliance/nepa/comments/ratings.html. Thank you for providing EPA with the opportunity to review this project. If you have questions regarding these comments, the staff contact for this project is Ms. Barbara Okorn; she can be reached at 215-814-3330.

Sincerely,

Barbara Rudnick
NEPA Team Leader
Office of Environmental Programs

Enclosure

Enclosure
Detailed Technical Comments for Draft Environmental Impact Statement, Potomac Yard Metrorail Station, Alexandria Virginia

Alternatives

- EPA supports evaluation and incorporation, as part of the build alternatives, design that can potentially reduce environmental impacts such as pervious surface, low impact development Best Management Practices (BMPs) for all aspects of the project, and low emissions equipment use during construction.
- The EIS should indicate the duration of construction. Depending upon the timeframe, some impacts that are presented as temporary may be permanent.
- Page 3-198 states that Build Alternatives B and D could potentially be impacted by the planned new Dominion Power electrical line. Additional evaluation should be included in the EIS as to what would happen if this did occur.

Noise and Vibration

- It would be useful if a description of future public outreach was presented in the NEPA document. Please state how the public will be informed about noise and vibration that may be caused by the project and communication on mitigation measures that will be developed.
- We suggest a vibration monitoring and mitigation plan be developed and shared with the public.
- EPA suggests that should major changes in vibration data arise during final design, or during vibration monitoring, the information be brought back before the public in some manner.
- Where practicable, EPA suggests that individual project construction activities are scheduled to avoid or minimize adverse impacts. Consider using noise barriers, including temporary barriers, semi-permanent barriers, noise curtains, and/or noise tents. Consider using vibration reducing techniques or mitigation measures.
- It is recommended that activities associated with the Metrorail station are coordinated with construction activities of other projects in adjacent and nearby locations to avoid or minimize cumulative impacts to communities.
- Consider the condition of surrounding buildings, structures, infrastructure and utilities, where appropriate; and whether any special protection is needed for historic properties.
- Prepare contingency measures in the event established limits are exceeded. Consider steps to avoid generating noise/vibration from cumulative operations that may exceed noise limits.
- Consider establishing a public communication plan in order to keep the public informed and attempt to reduce public frustration. This plan could include regular public meetings, emails, a hotline, and other notices.
- Consider whether a noise technician/acoustical engineer is needed during peak construction phases.
- Consider restricting the use of certain types of equipment during noise/vibration-sensitive hours. Consider restricting night work.
- Consider whether temporary relocations of noise/vibration-sensitive receptors are an option or whether relocations are necessary.

Stormwater, Aquatic Resources, and Vegetation

- Discussion regarding wetlands is unclear. The aquatic resource section should clearly explain the difference between National Park Service wetlands and U.S. Army Corps of Engineer wetlands. Also, wetlands, streams and other aquatic habitats could be waters of the United States (WOUS). The terms should be used properly in the EIS.
- The impact tables do not indicate there will be impacts to streams however page 3-170 states that there will be a crossing of Four Mile Run with Alternative D which includes bridge piers. This would be an impact. Also page 2-34, Alternative D, references an existing stream channel. What is this channel? Additional information should be provided discussing the impacts and resources.
- The document should address how the project's alternatives conform to the Chesapeake Bay Executive Order 13508.
- The document should include an analysis of how the alternatives will potentially impact water quality.
- Page 3-37 describes the City of Alexandria's Master Plan Water Quality Management Supplement and implies that development can occur in wetlands. It should be noted that regulated WOUS must comply with Section 404 of the Clean Water Act, which includes avoiding and minimizing impacts to these resources.
- Buffers should be maintained around aquatic habitats.
- Page 3-170 states that BMPs would be installed to mitigate or improve water retention, etc. Please state the BMPs that are anticipated.
- Page 3-174 indicates that it is not known if wetlands are tidal. A thorough assessment of natural resources should be included in the EIS to aid in the decision making for the selection of a preferred alternative.
- The design should incorporate Low-Impact Development (LID) designs to further reduce potential impacts to the design corridor.
- The design of the alternatives should incorporate stormwater management treatment features that are placed in uplands and not in WOUS.
- Table 3-47 should include the wetland type and the total size of the wetlands.
- Table 3-51 presents "WOUS and Wetland Total". This heading is confusing since wetlands can be WOUS.
- Page 3-182 should refer the reader to the location of the wetland report.
- Page 3-225 states that Alternative D would temporarily encroach into Four Mile run for the purpose of constructing a new bridge. If bridge piers are placed in the stream as stated in other sections of the DEIS this is a permanent impact. Other activities may result in temporary impacts.
- A functional assessment should be provided on the larger wetlands complexes that will be impacted and extend outside of the project corridor, as necessary. Additional information should be provided on the streams that will be impacted. The chemical, physical, and biological characteristics should be presented.
- Additional efforts should be made to avoid and minimize aquatic impacts.
- The project team should investigate opportunities to maintain or re-establish hydrology across the transportation system. If hydrology is impounded by barriers such as bermed areas in rail right-of-way, engineered breaks in the berm may be considered.

- Additional information should be provided regarding a mitigation plan that will fully replace the functions and values of the wetlands proposed to be impacted.
- The mitigation should be in the respective subwatershed and have a monitoring plan with physical, chemical, and biological success criteria. An adaptive management plan should also be created to address mitigation issues.

Environmental Justice

- The analysis used to identify minority populations does not seem to reflect the intent of the Council on Environmental Quality, Environmental Justice – Guidance under the National Environmental Policy Act, December 10, 1997. The guidance states: "Minority populations should be identified where either: (a) the minority population of the affected area exceeds 50 percent or (b) the minority population percentage of the affected area is meaningfully greater than the minority population percentage in the general population or other appropriate unit of geographic analysis. In identifying minority communities, agencies may consider as a community either a group of individuals living in geographic proximity to one another, or a geographically dispersed/transient set of individuals (such as migrant workers or Native American), where either type of group experiences common conditions of environmental exposure or effect. The selection of the appropriate unit of geographic analysis may be a governing body's jurisdiction, a neighborhood, census tract, or other similar unit that is to be chosen so as to not artificially dilute or inflate the affected minority population. A minority population also exists if there is more than one minority group present and the minority percentage, as calculated by aggregating all minority persons, meets one of the above-stated thresholds."

  A population exceeding the 50% threshold is a minority community. So any population that is more than 50% minority is by definition a minority population.

  Figure 3-10: Minority Populations, uses a benchmark value of 58.1% minority in its identification of at risk populations. The benchmark exceeds the CEQ value of 50%. What is the justification for this value? The WMATA minority percentage of 58.1 percent should not be used as the benchmark, 50% should be that benchmark.

- It would be helpful to have included all of the demographic information for the study area by census block group in the data used to identify areas of EJ concern. Having that accompanying information would help give more meaning to Figure 3-10.
- Figure 3-10 should be revised using 50% or some other more protective benchmark to identify areas of potential EJ concern.
- Greater detail should be provided as to the potential exposure of at-risk populations to toxic substances, noise, vibration, fugitive dusts, truck traffic, and other activities that may be a result of the activities of this project.

Children's Environmental Health

Executive Order 13045 on Children's Health and Safety directs that each Federal agency shall make it a high priority to identify and assess environmental health and safety risks that may disproportionately affect children, and shall ensure that its policies, programs, activities, and standards address these risks. Analysis and disclosure of these potential effects under NEPA is necessary because some physiological and behavioral traits of children render them more susceptible and vulnerable than adults to health and safety risks. Children may be more vulnerable to the toxic effects of contaminants because their bodies and systems are not fully developed and their growing organs are more easily harmed. The DEIS does not clearly describe the potential direct, indirect, and cumulative impacts of the project on children's health.

- Children's Environmental Health does not appear to have been included in the DEIS. FTA should address Executive Order 13045 for the Protection of Children from Environmental Health Risks and Safety Risks. Without analysis or documentation on this topic, it cannot be assumed that there is no potential risk associated with the proposed project that may adversely affect children's health.
- Evaluation of risks to children's health should include potential direct, indirect and cumulative health impacts in the project area. We also suggest evaluating noise and vibration impacts associated with the project specific to children, identifying areas where children reside or children's faclitly.

Cumulative Impacts

The EIS should include a thorough cumulative impact analysis for past, present and reasonably foreseeable projects occurring in the project areas. EPA suggests that a secondary and cumulative effects analysis begin with defining the geographic and temporal limits of the study; this is generally broader than the study area of the project. The document should address potential indirect and cumulative effects in the project areas, and analysis may aid in the identification of resources that are likely to be adversely affected by multiple projects, and sensitive resources that could require additional measures of protection. This includes an assessment of cumulative impacts to wetlands and other resources.

Other resources and general comments

- Clearly state the anticipated construction time periods for each build alternative.
- While the DEIS does includes a short section analyzing Greenhouse Gas (GHG) emissions, and concludes there will be no substantial impact, we believe the Council on Environmental Quality's December 2014 revised draft guidance for Federal agencies' consideration of Greenhouse Gas (GHG) emissions and climate change impacts in NEPA outlines a reasonable approach, and we recommend that FTA use that draft guidance to help outline the framework for its analysis of these issues. Accordingly, we recommend the EIS include an estimate of the GHG emissions associated with the project, qualitatively describe relevant climate change impacts, and analyze reasonable alternatives and/or practicable mitigation measures to reduce project-related GHG emissions. In addition, we recommend that the NEPA analysis address the appropriateness of considering changes to the design of the proposal to incorporate GHG reduction measures and resilience to foreseeable climate change. The final EIS should make clear whether commitments have been made to ensure implementation of design or

other measures to further reduce GHG emissions or to adapt to climate change impacts.

- Page 3-154 Mitigation measures for Greenhouse Gas Emissions should be discussed.
- The discussion on page 3-198 refers the reader to section 3.15 for mitigation measures related to flooding and climate change. The discussion is vague. More information should be provided as to how the project will be designed to address any potential issues.
- Page 2-34 discusses possible contaminated soil at the site while other sections indicate there is no contamination concern (i.e. page 3-7). This should be clarified. Page 3-190 should include additional information on the sampling and handling of potentially contaminated materials.
- The Page 3-182 discussion of Threatened and Endangered Species is confusing as presented. The appropriate state and federal agencies should be coordinated with regarding the potential for these species to be presented and documentation from those agencies should be provided in the EIS. Surveys should be conducted by appropriate personal and follow approved protocol.
- The DEIS should comply with Executive Order 13112 regarding invasive species.
- Page 3-200 discusses vegetation being cleared and land being filled for staging areas. Impacts to WOUS should be avoided and minimized to the maximum extent practicable. It may be necessary to collect baseline information for aquatic areas to ensure that areas are restored to pre-construction condition.